

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SD FERTILIZER, LLC, d/b/a)	
CONSUMER SERVICE COMPANY,)	Case No. 8:06CV00746-JFB-TDT
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
FERTILIZER EQUIPMENT)	
SPECIALISTS, INC.,)	
)	
Defendant and)	
Cross Claimant,)	
)	
vs.)	
)	
MID-SOUTH AG – SOUTHEAST)	
AG EQUIPMENT, INC., A.L. BAUCOM)	
TRANSPORTATION, INC., DEL)	
PETERSON AND ASSOCIATES, INC.,)	
AND DEL PETERSON & ASSOCIATES)	
EQUIPMENT SALES, INC.)	
)	
Defendants to)	
Cross Complaint.)	

This matter is before the Court on the parties' Joint Stipulation for Dismissal With Prejudice. For good cause shown, the Court finds that the Joint Stipulation for Dismissal With Prejudice should be approved in its entirety.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that:

1. The Complaint filed by Plaintiff SD Fertilizer, LLC, d/b/a Consumer Service Company against Defendant Fertilizer Equipment Specialists, Inc., and all claims asserted therein are dismissed with prejudice.
2. The Cross-Complaint filed by Defendant Fertilizer Equipment Specialists, Inc., against Cross-Defendants Mid-South Ag, Southeast Ag Equipment, Inc., A.L. Baucom Transportation, Inc., Del Peterson and Associates, Inc., and Del Peterson &

Associates Equipment Sales, Inc., and all claims asserted therein are dismissed with prejudice.

3. Each party shall pay its own costs incurred in this matter.

DATED this 24th day of July, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
UNITED STATES DISTRICT JUDGE